REMARKS:

Enclosed herewith is an Information Disclosure Statement (IDS) and Form PTO-1449. This IDS is to make of record those documents referred to in the specification of the instant application.

The specification is amended to include a Cross-Reference section indicating that this application is a 371 of PCT/US2005/001428, filed January 14, 2005, which claims priority to U.S. Provisional Patent Application No.: 60/536,824, filed January 15, 2004.

The claims are amended as indicated in the preceding pages. The independent claims are amended to further specify the usage of an internet protocol and a signaling or management protocol. As a non-limiting example, independent claim 1 is amended, at least in part, to include subject matter similar to that previously recited in dependent claim 2. In view of the amendments to the independent claims, claims 2, 25 and 31 are canceled. Claims 17 and 49 are also canceled. Claims 16, 18 and 19 are amended to reflect the description of FIG. 3 in the specification. Other claims are amended for purposes of clarity. No new matter is added.

In view of the claim amendments, claims 1, 3-16, 18-24, 26-30, 32-48 and 50 are currently pending with claims 1, 24, 27, 28, 29 and 47 being independent claims.

The Examiner objected to claims 16-23 and 44-46 as being dependent upon a rejected base claim. It will be shown below that the independent claims from which these dependent claims depend are all allowable over the references cited by the Examiner. However, the Applicants reserve the right to amend one or more of these dependent claims to be independent claims at a later date.

The Examiner rejected claims 1-4, 6, 7, 24-29, 31-36 and 47-50 under 35 U.S.C. §102(b) as being anticipated by *Cook et al.* (U.S. Patent No. 6,577,614, referred to herein as "*Cook*"). *See pp. 2-6 of the Office Action.* The Examiner rejected claims 5, 8-13, 30, 37-39 and 41-43 under 35 U.S.C. §103(a) as being unpatentable over *Cook* in view of *Ala-Laurila et al.* (WO 01/39538, referred to herein as "*Ala-Laurila*"). *See pp. 7-9 of the Office Action.* The Examiner rejected

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claims 14, 15 and 40 under 35 U.S.C. §103(a) as being unpatentable over *Cook* in view of *Leung et al.* (U.S. Patent Application Publication No. 2004/0224666, referred to herein as *"Leung"*). *See pp. 9-10 of the Office Action.* These rejections are respectfully disagreed with and are traversed below.

Amended independent claim 1 recites:

> A method comprising:
>
> determining, by a first server, that a request expressed in a first protocol has been made by a second server for updating a security-related parameter on a mobile station;
>
> in response to determining, packaging the request in a message expressed in a second protocol and communicating the message to the mobile station, wherein the first protocol comprises a signaling protocol and the second protocol comprises an internet protocol, wherein packaging and communicating are performed by the first server.

As recited in claim 1, and with non-limiting examples from FIG. 2, a first server (IOTA DM Server 340) determines that a request ("Key Request Message" 306) has been made by a second server (OTAF/IS-683 Server 350) for updating a security-related parameter (A-Key) on a mobile station (MS 301). The request (306) is expressed in a signaling protocol (IS-683). In response to the determination, the first server (340) packages the request (306) in a message ("IOTA-DM Key Request Message") and communicates the message (step 1004) to the mobile station (301). The message ("IOTA-DM Key Request Message") is expressed in an internet protocol (IOTA DM). In such a manner, the signaling protocol (IS-683) request (306) of the second server (350) is communicated to the mobile station (301) by the first server (340) using an internet protocol (IOTA DM) message ("IOTA-DM Key Request Message," step 1004). *See p. 11, line 8-p. 13, line 21 of the specification.*

The Examiner cited *Cook* as allegedly disclosing the subject matter recited in claim 1.

Cook discloses a system comprising a data network, a server, and a base station in communication with the data network. The base station is configured to receive an update parameter from the server. The base station is further configured to establish a CDMA data channel between the mobile client and the base station, and to send the update parameter from the base station to the mobile client over the data channel. The update parameter is sent in accordance with a CDMA air interface standard (such as IS-95) and a CDMA data channel standard for data services (such as IS-707). *See Abstract, col. 2, lines 20-35.*

Cook discusses various standards and protocols, particularly with respect to FIG. 2. Therein, a system 60 includes three entities: an OTA server 62, a base station 70 and a mobile client (which includes a mobile client transceiver 96). *Cook* discloses communication from the OTA server 62 to the base station 70 and from the base station 70 to the mobile client, the communication being related to update parameters (OTA updates 80). The OTA updates 80 are sent from the OTA server 62 to the base station 70 via a data network 64. *Col. 5, lines 12-20.*

The communication of the OTA updates 80 to the handset flash memory 72 of the mobile client involves a number of protocol layers. *Col. 5, lines 28-32.* While a suitable protocol for the update parameters is IS-683-A 82 (*see col. 5, lines 32-34*), communication between the respective entities is accomplished using different protocols. Communication between the OTA server 62 and the base station 70 uses a data network protocol (TCP/IP 86). *Col. 5, lines 43-50.* Communication between the base station 70 and the mobile client uses CDMA standards, such as IS-707 for the CDMA data channel (88, 102) and IS-95 for the CDMA air interface (90, 100). *Col. 5, lines 15-20 and 58-64.*

As is apparent, communication between the OTA server 62 and the base station 70 is performed according to TCP/IP protocols and **not** according to the IS-683-A protocol. Thus, the communication between the OTA server 62 and the base station 70 clearly cannot be seen to correspond to the first protocol recited in claim 1, particularly as this communication is not in

accordance with a signaling protocol (e.g., IS-683).

As is also apparent, communication between the base station 70 and the mobile client is performed according to CDMA protocols and **not** according to the TCP/IP or IS-683-A protocols. Thus, the communication between the base station 70 and the mobile client clearly cannot be seen to correspond to the first or second protocols recited in claim 1, particularly as this communication is not in accordance with an internet protocol (e.g., IOTA-DM) or a signaling protocol (e.g., IS-683).

Based on the above arguments, it is clear that *Cook* does not disclose or suggest: "A method comprising: determining, by a first server, that a request expressed in a first protocol has been made by a second server for updating a security-related parameter on a mobile station; in response to determining, packaging the request in a message expressed in a second protocol and communicating the message to the mobile station, **wherein the first protocol comprises a signaling protocol and the second protocol comprises an internet protocol**, wherein packaging and communicating are performed by the first server," as recited in claim 1.

The features recited in claim 1 are not disclosed or suggested in the cited art. *Cook* cannot be seen to anticipate claim 1. Therefore, claim 1 is patentable and should be allowed.

Though dependent claims 3-16 and 18-23 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1.

Independent claims 24, 27 and 28 recite subject matter similar to that of claim 1. For the reasons stated above with respect to claim 1, *Cook* also cannot be seen to anticipate independent claims 24, 27 and 28. These claims are patentable and should be allowed.

Though dependent claim 26 contains its own allowable subject matter, this claim should at least be allowable due to its dependence from allowable claim 24.

Amended independent claim 29 recites:

A method comprising:

receiving, by a mobile station, a message expressed in a first protocol from a server and comprising a request for the mobile station to update a security-related parameter, the request expressed in a second protocol; and

performing, in response to the message, at least one operation by the mobile station in order to update the security-related parameter, wherein the first protocol comprises an internet protocol and the second protocol comprises a management protocol.

Claim 29 recites a method, performed by a mobile station, that parallels the method described above with respect to claim 1. That is, as a non-limiting example the mobile station (MS 301) receives a message ("IOTA-DM Key Request Message") expressed in an internet protocol (IOTA-DM) from a server (IOTA DM Server 340). The message includes a request ("Key Request Message") for the mobile station (MS 301) to update a security-related parameter (A-Key), the request being expressed in a management protocol (IS-683). In response to the message, the mobile station (MS 301) performs at least one operation (1005-1008, 1014-1016, etc.) to update the security-related parameter.

As noted above when discussing claim 1, with respect to FIG. 2 *Cook* discloses communication between an OTA server 62 and a base station 70 in accordance with TCP/IP protocols (TCP/IP 86). *Cook* also discloses communication between the base station 70 and a mobile client in accordance with CDMA protocols (IS-95 90, 100 and IS-707 88, 102).

Clearly the mobile client of *Cook* does not receive a message expressed in an internet protocol from the base station 70. As such, it is clear that *Cook* does not disclose or suggest: "A method comprising: receiving, by a mobile station, a message expressed in a first protocol from a server and comprising a request for the mobile station to update a security-related parameter, the request expressed in a second protocol; and performing, in response to the message, at least one

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operation by the mobile station in order to update the security-related parameter, wherein the first protocol comprises an internet protocol and the second protocol comprises a management protocol," as recited in claim 29.

The features recited in claim 29 are not disclosed or suggested in the cited art. *Cook* cannot be seen to anticipate claim 29. Therefore, claim 29 is patentable and should be allowed.

Though dependent claims 30 and 32-46 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 29.

Independent claim 47 recites subject matter similar to that of claim 29. For the reasons stated above with respect to claim 29, *Cook* also cannot be seen to anticipate independent claim 47. This claim is patentable and should be allowed.

Though dependent claims 48 and 50 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable independent claim 47.

While this Response is deemed to be fully responsive to the objections and rejections in the outstanding Office Action, the Applicants respectfully reserve the right to argue one or more of the dependent claims when responding to any future actions, such as when responding to further Office Actions or in an Appeal Brief.

The Examiner is respectfully requested to reconsider and remove the rejections of claims 1, 3-16, 18-24, 26-30, 32-48 and 50 and to allow all of the pending claims as now presented for examination. For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Should any unresolved issue remain, the Examiner is invited to call Applicants' agent at the telephone number indicated below.

Respectfully submitted:

Alan L. Stern (signature)

Alan L. Stern

Reg. No.: 59,071

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Date

Customer No.: 29683

HARRINGTON & SMITH, PC

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203) 925-9400 ext. 18

Facsimile: (203) 944-0245

E-mail: astern@hspatent.com

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